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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/679,623

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Rene Rollig

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53806

7590

02/20/2008

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL (AMD)

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EXAMINER

VIDWAN, JASJIT S

ART UNIT

PAPER NUMBER

2182

MAIL DATE

DELIVERY MODE

02/20/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/679,623

Applicant(s)

ROLLIG ET AL.

Examiner

JASJIT S. VIDWAN

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 and 96 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 and 96 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/10/2008 has been entered.

***Response to Arguments***

2. Applicant's arguments, see Remarks, filed 01/10/2008, with respect to the rejection(s) of claim(s) 1, 10 & 19 under Luke have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Stancil, U.S. Patent No: 7,149,927 and further in view of Luke et al, U.S. Patent No: 6,505,267.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 6-10, 12, 15-19, 21, 28-31 & 96 rejected under 35 U.S.C. 103(a) as being unpatentable over Stancil, U.S. Patent No: 7,149,927 [**hereinafter Stancil**] and further in view of Luke et al, U.S. Patent No: 6,505,267 [**hereinafter Luke**].

5. **As per Claim 1, 10 & 19**, Stancil teaches an SMBus host controller [**Fig. 1, element 130**] comprising:

a. SMBus interface [**see Fig. 1, element 111**]

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- b. SMBus message handler **[Fig. 1, element 110]** including finite-state machine **[Fig. 2, elements 112 & 116]** configured to manage data transfer between the SMBus interface and integrated electronic device **[Col. 4, Lines 20-32]**.
6. Stancil further teaches a system wherein the said integrated electronic device's function is not significant and thus can perform any functional logic **[see Col. 2, Line 66 – Col. 3, Line 2]**. Keeping the scope of Stancil in mind, it is submitted that Stancil does not explicitly teach a memory storing microcode, an interface to a register and further an instruction fetch unit configured to read instructions at an address from said memory. Luke teaches the above deficiency in addressing the above deficiency by disclosing a system that teaches:
- (c) Memory **[See Fig. 2, element 32, 36 & 40]** configured to store microcode comprising at least two programs **[see Col. 7, Lines 58 – Col. 9, Line 12 – plurality of programs include 'Register read-modify-write', 'Register read-compare-until-match', 'Register Write', 'Register read extract nibble', 'Wait for bulk\_in byte', 'Wait for bulk\_out byte', 'DATI Push register into bulk\_in', 'DATO Push bulk\_out byte', 'EPPI Read EPP data register']** each for handling a bus command protocol and comprising at least one instruction **[see Col. 2, Lines 7-10 - - Also see Col. 4, Lines 66- Col. 5, Line 2]**.
- (d) Interface **[Col. 4, Lines 17-21]** to a register **[see Fig. 3, element 66]** configured to identify a starting address of a program in said memory **[Col. 4, Lines 34-37]**
- (e) Instruction fetch unit **[see Fig. 6, Element 90 – also see Col. 7, Lines 17-19]** configured to read an instruction at an address in said memory **[Col. 9, Lines 14-20]**, said address being specified by a program counter **[see Fig. 6, element 84]**
7. It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to combine the above two teachings in order to take advantage of using memory in conjunction with Stancil's SMBus Packet Decoder/Encoder **[see Fig. 2, element 114]** to support bus protocol conversion from host to the peripheral. It is for this reason that one of ordinary skill in the art would have been motivated to combine the above two teachings.

8. **As per Claim 3, 12 and 21**, Luke and Stancil as modified above teach SMBus message handler further comprising an address register array comprising a plurality of starting addresses of programs stored in said memory, said register comprising an offset for pointing at a specific register in said address register array [see Luke, Col. 4, Lines 31-42].
9. **As per Claims 6, 15 and 28**, Luke and Stancil as modified above teach SMBus message handler further comprising a loop counter [see Luke, Fig. 6, element 88] for storing the value of a block counter register in said loop counter if the finite-state machine executed a transmit data from block counter register instruction [see Luke, Col. 9, Lines 5-7, "DATO Push bulk\_out byte into register"]; said loop counter being decremented each time a data byte is transmitted to said SMBus interface while a "transmit data from" instruction is executed and the "transmit data from" instruction be completed when the value of said loop counter reaches zero [see Luke, Col. 7, Lines 43-51].
10. **As per Claims 7, 16 and 29**, Luke and Stancil as modified above teach SMBus message handler further comprising a loop counter [see Luke, 88] and a block counter register [see Luke, 66] both for storing a byte received from said SMBus interface if the finite-state machine [see Luke, 82] executed a "receive data to block counter register" instruction [see Luke, Col. 9, Lines 8-11], said loop counter [see Luke, 204] being decremented each time a data byte is transmitted to or received from said SMBus interface while a "received data to block counter register" instruction is executed and the "received data to" instruction being completed when the value of said loop counter reaches zero.
11. **As per Claims 8, 17 and 30**, Luke and Stancil as modified above teach SMBus message handler, wherein each instruction comprises one bit indicating as to whether or not an instruction is the last instruction in the program [see Luke, Col. 5, Lines 2-7].
12. **As per Claims 9, 18 and 31**, Luke and Stancil as modified above teach SMBus message handler, wherein each instruction comprises one bit indicating as to whether an instruction is to be executed only once or this instruction is to be executed repeatedly until a loop counter becomes zero, wherein said loop counter is decremented each time an instruction is executed repeatedly [see Luke, Col. 7, Lines 38-57].
13. **As per Claim 96**, Luke and Stancil as modified above teach a controller wherein the memory storing the microcode is a read-only memory [see Luke, Fig. 2, element 36]

14. Claims 2, 4, 5, 11, 13, 14, 20, 22-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Stancil and Luke and further in view of Applicant Admitted Prior Art (Description of prior art) herein after **[AAPA]**.

15. **As per Claims 2, 11 and 20**, Stancil and Luke teach the above limitations of claims 1, 10 and 19. However, Luke fails to teach a system wherein the register set complies with the ACPI specification. AAPA teaches the above deficiency of having a system wherein the register set is ACPI compliant **[see AAPA, Page 7, Paragraph 2 – Page 9, Paragraph 3]**.

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to combine the teachings of Luke with that of AAPA in order to take advantage of a more efficient power management interface with regards to the register set. It is for this reason that one of ordinary skill in the art at the time of Applicant's invention would have been motivated to combine the teachings of Luke with that of AAPA in order to take advantage of a more efficient power management interface with regards to the register set.

16. **As per Claim 4, 13 and 22**, Luke as modified by AAPA above teaches SMBus message handler further comprising a buffer pointer register **[Fig. 6, element 92]** for pointing at one of a plurality of data registers **[Fig. 3, element 66]**; said finite state machine **[Fig. 6, element 82]** transferring data read from SMBus interface to the data register at which said buffer pointer register points if said finite-state machine interprets a "receive data to" instruction; said finite state machine transferring the data read from the data register at which said buffer pointer register points to **[Col. 7, Line 58-65]** said SMBus interface if said finite-state machine interprets a "transmits data from" instruction **[Col. 8, Line 66-Col.9, Line 4]**

17. **As per Claims 5, 14, 23 and 25** Luke as modified by AAPA above teaches SMBus message handler wherein the finite-state machine causes said buffer pointer register to be incremented each time a "transmit data to" or a "transmit data from" instruction is executed **[Col. 7, Lines 52-57]**

18. **As per Claims 24 and 27**, Luke as modified by AAPA above teaches a method wherein said transferring step further comprising decrementing a loop counter and checking as to whether said loop counter has a value of zero **[Col. 8, Lines 3-13]**.

19. **As per Claim 26**, Luke as modified by AAPA above teaches a method wherein said transferring step further comprising incrementing of said buffer pointer register **[Col. 7, Lines 44-50]**

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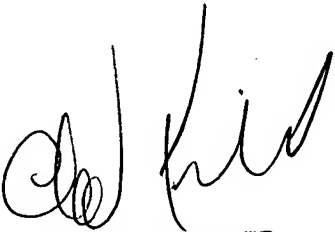
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASJIT S. VIDWAN whose telephone number is (571)272-7936. The examiner can normally be reached on 8am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JSV  
2/18/08



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